

Placer County Air Pollution Control District

Minutes of the Thursday, February 13, 2014 Meeting of the Board of Directors

The Board of Directors of the Placer County Air Pollution Control District met in a regularly scheduled session at 2:30 PM, Thursday, February 13, 2014, at the Placer County Board of Supervisors' Chambers, 175 Fulweiler Avenue, Auburn, California.

Representing the District were: Tom Christofk, Air Pollution Control Officer; Todd Nishikawa, Deputy Air Pollution Control Officer; A.J. Nunez, Administrative Services Officer; Christa Darlington, District Counsel; Bruce Springsteen, Senior Engineer; Yu-Shuo Chang, PhD, Senior Planner; Heather Kuklo, Air Pollution Control Specialist; Russell Moore, I.T. Technician; and Shannon Harroun, Clerk of the Board.

The meeting was called to order by Chairperson Mike Holmes. Roll call was taken by the Clerk of the Board, with the following members in attendance: Donna Barkle (arrived after roll call), Stan Nader, Robert Weygandt, Mike Holmes, Robert Black, Diana Ruslin, and Carol Garcia. Jennifer Montgomery and Jim Holmes were absent. A quorum was established.

Approval of Minutes: October 10, 2013, Regularly Scheduled Meeting.

Motion to approve: Garcia/Unanimous

Public Comment: No public comment.

Consent Items 1-4:

Item 1: Reappointment of Hearing Board Members.

Appointed current Hearing Board members, Mr. Timothy Woodall, as the representative of the legal profession, and Ms. Diane Przepiorski, as the Public at Large representative, to the Placer County APCD Hearing Board. The term of office for Mr. Woodall and Ms. Przepiorski will end February 28, 2017.

Item 2: Authorization to execute MOU with Butte County Air Quality Management District for administration of Truck Improvement/Modernization Benefitting Emission Reductions (TIMBER) funds.

Adopted Resolution #14-06, thereby authorizing the APCO to negotiate, sign, and amend as necessary, a multi-year Memorandum of Understanding (MOU) with Butte County Air Quality Management District (BCAQMD) to administer state TIMBER funds on the District's behalf.

Item 3: Authorization to use Air Quality Mitigation Funds for 2014 Clean Air Grant Program.

Adopted Budget Revision #14-01, thereby authorizing the APCO to use the available funds in the Mitigation Fund for the 2014 Clean Air Grant program (CAG).

Item 4: Approval of the 2014 Reasonable Available Control Technology State Implementation Plan (RACT SIP) Analysis and Negative Declaration.

Adopted Resolution #14-01, thereby approving the 2014 RACT SIP Analysis Staff Report, dated February 2014; and adopted Resolution #14-02, thereby approving a Negative Declaration for sixteen (16) source categories.

Motion to approve consent items 1-4: Nader/Unanimous

Action Item:

Item 7: Authorize District-County Memorandum of Understanding (MOU).

Item 7 was addressed after consent items 1-4 in order to allow District Counsel, Ms. Christa Darlington, to leave early for a previously scheduled appointment.

Ms. Christa Darlington discussed a background of the past relationship between the District and Placer County, noting that the District was previously a division within a department of Placer County. The District later became an independent entity, and in 2006, a Memorandum of Understanding (MOU) was put into place to establish a more formalized relationship between the District and Placer County.

Ms. Darlington stated that the primary reason a MOU is needed is that District staff are ex-officio employees of Placer County (Ms. Darlington later clarified that the APCO is an exception to this, as he works directly for the Board of Directors and is not a County ex-officio employee). This gives some of the District's/Board's authority over District Staff to the County of Placer and its Board of Supervisors, because all decisions made by the County regarding conditions of employment apply to District staff. The 2006 MOU and this update describe the relationship between the parties for personnel concerns.

Ms. Darlington indicated that updates to the 2006 MOU clarify the changes in District policies that differ from County policies for various reasons, including that the District is much smaller and doesn't have the same resources and business needs as the County.

Mr. Todd Nishikawa identified some factors which necessitated an MOU update: When the District purchased the office building in 2011, the District's business practices changed, and thus the services obtained from the County have changed; the District has also switched from having County owned vehicles to District owned vehicles; the District is no longer County insured—

insurance coverage is now through SDRMA; and the District enters into service agreements with the County for some services, but for others, the District's needs are better met by other entities.

In addition, Mr. Nishikawa stated that many County policies have changed since the first MOU in 2006. The new MOU addresses three policy situations: 1) County policies/versions of policies the District will adhere to; 2) County policies the District will adhere to, with the exception of differences specifically spelled out; and 3) County policies the District does not adhere to, but will instead follow its own policy. Furthermore, the prior MOU said that the District would follow all County policies unless the District identified substitutes for County policy. With the new MOU, the District will only follow the County policies specifically stated in the MOU. If any new County policy comes out, the MOU can be updated to reflect the change. Mr. Nishikawa stated that the County Auditor-Controller reviews the District's policies to assure needed internal controls are retained.

Ms. A.J. Nunez addressed the fiscal relationship between the District and the County, and the need for the MOU, to clarify how the District engages in and pays for services from the County, and how the County determines the District charges. It was important to create a framework that would be flexible enough to last through the ten year period of the MOU. The District obtains four major services from the County: Staffing, IT Services, Auditor Services, and District Counsel. The three charging methodologies called out in the MOU are 1) direct charges based on rates set by the auditor's office for internal service fund divisions; 2) Service Level Agreements where the District enters into agreements for a specific amount regardless of the number of hours or for a specific rate; and 3) A-87 charging methodologies based on actual services provided to the District.

After answering brief questions from the Board, Mr. Nishikawa stated that District Staff's request of the Board is to adopt Resolution #14-04, thereby authorizing the Chair to sign the Memorandum of Understanding (MOU) on behalf of the District. After signature, the MOU will be forwarded to the Placer County Board of Supervisors for approval.

Chairperson Mike Holmes opened the item up for public comment. Seeing none, he brought the item back to the Board for a motion.

Motion to approve: Garcia/Unanimously approved via roll call vote

Public Hearing/Action Items:

Item 5: Approval of PM_{2.5} Implementation/Maintenance Plan and Re-Designation Request for the Sacramento PM_{2.5} Nonattainment Area.

Dr. Yu-Shuo Chang presented the item on behalf of the District. The PM_{2.5} Maintenance Plan is the federal plan prepared to demonstrate the attainment status of the federal PM_{2.5} 24 hour average standard for the Sacramento region. The EPA revised the standard in 2006. After EPA revised the standard, the Sacramento region, including a portion of Placer County, was classified

as nonattainment in 2009. After regional collaboration, the EPA recognized that attainment of the standard was reached in 2011 and continued in 2012.

Although EPA already published an attainment determination, this plan is still required to formally demonstrate that the Sacramento region has reached attainment, by demonstrating the following components: attainment is due to permanent enforceable reduction and is not due to favorable weather conditions; the region will continue to attain the federal standard for at least 10 years; and a contingency plan is in place to require local air districts to continue tracking air quality and take corrective action if a violation occurs.

Dr. Chang explained that the re-designation request will lift some federal permit requirements. He also stated that public outreach and public hearing requirements have been met. Dr. Chang illustrated the size of PM_{2.5} particles by showing a visual comparison to a human hair (PM_{2.5} measures about 1/20th the diameter of a human hair), and noted that the small size causes adverse health effects.

Dr. Chang stated that last December, due to extreme weather conditions that overwhelmed strong air pollution control measures, increased PM_{2.5} measurements were observed from various monitoring stations in the region. Due to these high PM_{2.5} measurements, an exceedance occurred in the region for 2013. A potential option to reach regional attainment with this 2013 exceedance is to extend the period for which a demonstration is required, to include 2014 values in the three year average.

Director Mike Holmes asked if the 28 days of no burn were only in the Sacramento area. Dr. Chang answered that the 28 no burn days were for the entire Sacramento Valley region (including Placer County and all the mountain counties). Director Mike Holmes also asked when updated data will be available regarding corrections that have taken place due to the recent rainy weather. Dr. Chang clarified that the rain will reduce the concentration measurement data for 2014, but not for 2013.

Director Stan Nader asked how many days Placer County did not meet attainment. Dr. Chang responded that Placer County was in attainment every day. It is the monitoring stations in Sacramento that caused the nonattainment designation.

Chairperson Mike Holmes opened the item to public comment. Seeing none, he brought the item back to the Board for a motion to adopt Resolution #14-05, thereby approving the Plan and Errata Sheet.

Motion to approve: Ruslin/Unanimously approved via roll call vote

Item 6: Adoption of Amended Rule 247, Natural Gas-Fired Water Heaters, Small Boilers, and Process Heaters.

Mr. Todd Nishikawa presented this item on behalf of the District. After Rule 247, which was adopted on October 10, 2013, was submitted to California ARB, the District received comments

from an industry association that was concerned about the requirement in the rule for certain data to be included on the nameplate. Staff determined that the newly adopted rule differs from South Coast and other major districts where similar requirements are established. The adopted rule would make industry conform to Placer's unique requirements or be in violation. District Staff agreed it would be best to withdraw the rule, which this Board approved in October 2013, from EPA submission. The current amended rule being presented to the Board at this hearing is consistent with the amendment requested by the water heater industry association to change the wording of the rule's nameplate and packaging requirements to conform with South Coast and other districts. Once this amendment is approved, the rule will be forwarded to California ARB and EPA.

Chairperson Mike Holmes asked if there have there been any manufacturers in Placer County objecting to the adopted rule. Mr. Nishikawa responded that there hadn't been because the rule was only in affect for a short time before the District received information from the manufacturers' industry association.

Mr. Nishikawa asked that the Board adopt Resolution #14-03, thereby approving amended Rule 247, Natural Gas-Fired Water Heaters, Small Boilers, and Process Heaters.

Chairperson Mike Holmes called for public comment. Seeing none, he brought the item back to board for a motion.

Motion to approve: Garcia/Unanimously approved via roll call vote

Information Item:

Item 8: 2014 Regulatory Measures List.

Mr. Nishikawa informed the Board that, as required by statute, the District has published a list of regulatory measures that may be considered for adoption in calendar year 2014. The list was available to the public on January 1, 2014. The availability of the list was published as a notice in a newspaper of general circulation on December 29, 2013. No questions were presented by the Board.

Air Pollution Control Officer Report:

2014 CAG outreach and schedule:

Mr. Christofk stated that the annual Clean Air Grant program for 2014 is open, pointing out that the Board took action this afternoon to approve a budget revision to increase the amount of funds available to \$1.1 million. The deadline for applications is February 28th at 5:00 p.m. The District has held two CAG program workshops, advertised in various newspapers, and sent out postcards to businesses within the county. Mr. Christofk encouraged Board members to speak with city or town staff, and if anyone needs guidance, the District is available to assist. Applications will be

reviewed internally, and at the April 10th Board meeting, staff will provide the Board with a recommended list for approval.

Director Weygandt asked if there is data on how much PM_{2.5} reductions have been accomplished as a result of the CAG program. District staff responded that the reduction has been about 50 tons of PM_{2.5}. Mr. Christofk also clarified that it is very expensive to reduce PM_{2.5} levels.

Spirit of Blodgett video:

Mr. Christofk introduced the video, which is a representation of a research project with UC Berkeley, which manages the Blodgett Forest research station. This video provides a sense of what the District is doing that might affect forest, forest fires, and energy policy in the state, as well as the nation. The video is still in editing process, but when finalized, will be distributed to various agencies at federal and state levels, including copies for Board members to share during the Cap-to-Cap conference, as requested.

Mr. Christofk later added that Bruce Springsteen prepared a technical paper regarding this Blodgett research project that was just accepted for publication by the California Agricultural Journal.

Cap-to-Cap update/expense reimbursement direction:

Mr. Christofk stated that the Cap-to-Cap conference, which is from May 3-7, has \$7,000 authorized in the budget for expenses to support directors that choose to attend. Chairperson Mike Holmes requested \$2,500 to cover registration and some expenses. Directors Garcia and Nader both stated that they are attending, but that their cities would be covering their expenses. Director Nader requested a briefing from the District to assist him in addressing topics related to the District's needs.

Fiscal update:

A balance sheet and fund summary handout were provided to the Board members and made available to the public. Ms. A.J. Nunez reported the District's fiscal status for Month 7 as 33.47% under expenditure budget and 29.34% above revenue budget, which is comparable to last year's status. Ms. Nunez added that the District recently had its biennial audit, and the audit report results should be available to present at the next board meeting.

Adjournment:

Chairperson Holmes adjourned the meeting at 3:53 p.m.



Shannon Harroun, Clerk of the Board